|  |   | $\Lambda \Lambda \Lambda$                                     |
|--|---|---|
|  | Application No.   | Applicant(s)  |
|  | 10/762,983  | KAREM, ABRAHAM E.   |
| Notice of Allowability   | Examiner  | Art Unit  |
|  | Bibhu Mohanty   | 3747  |
| The MAILING DATE of this communication appe<br>All claims being allowable, PROSECUTION ON THE MERITS IS<br>herewith (or previously mailed), a Notice of Allowance (PTOL-85)<br>NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT Re<br>of the Office or upon petition by the applicant. See 37 CFR 1.313 | (OR REMAINS) CLOSED in this app<br>or other appropriate communication<br>GHTS. This application is subject to | olication. If not included will be mailed in due course. THIS |
| 1. This communication is responsive to application filed 1-22-   | <u>04</u> .   |   |
| 2. 🔀 The allowed claim(s) is/are <u>1-20</u> .   |   |   |
| 3. $igotimes$ The drawings filed on <u>22 January 2004</u> are accepted by the   | e Examiner.   |   |
| <ul> <li>4. ☐ Acknowledgment is made of a claim for foreign priority un</li> <li>a) ☐ All b) ☐ Some* c) ☐ None of the:</li> <li>1. ☐ Certified copies of the priority documents have</li> </ul>  |   |   |
| 2.  Certified copies of the priority documents have  | been received in Application No   | ·   |
| 3. Copies of the certified copies of the priority documents have been received in this national stage application from the   |   |   |
| International Bureau (PCT Rule 17.2(a)).   |   |   |
| * Certified copies not received:   |   |   |
| Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONMI THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  |   | complying with the requirements                               |
| <ol> <li>A SUBSTITUTE OATH OR DECLARATION must be submi<br/>INFORMAL PATENT APPLICATION (PTO-152) which give</li> </ol>  |   |   |
| 6. CORRECTED DRAWINGS ( as "replacement sheets") must  | t be submitted.   |   |
| (a) including changes required by the Notice of Draftsperso  | on's Patent Drawing Review ( PTO-9  | 948) attached   |
| 1)  hereto or 2)  to Paper No./Mail Date   |   |   |
| (b) including changes required by the attached Examiner's<br>Paper No./Mail Date   | Amendment / Comment or in the O   | ffice action of   |
| Identifying indicia such as the application number (see 37 CFR 1.4 each sheet. Replacement sheet(s) should be labeled as such in the   |   |   |
| <ol> <li>DEPOSIT OF and/or INFORMATION about the depose attached Examiner's comment regarding REQUIREMENT F</li> </ol>   |   |   |
| Attachment(s)  1. ☑ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)   | <ol> <li>5. ☐ Notice of Informal Pa</li> <li>6. ☐ Interview Summary (<br/>Paper No./Mail Date</li> </ol>      |   |
| <ol> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08<br/>Paper No./Mail Date</li> </ol>   |   |   |
| 4. Examiner's Comment Regarding Requirement for Deposit  | 8.   Examiner's Statement   | nt of Reasons for Allowance                                   |
| of Biological Material   | 9.  | Bibhu Mohanty Primary Examiner Art Unit: 3747                 |

Application/Control Number: 10/762,983

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## **EXAMINER'S AMENDMENT AND COMMENT**

Restriction to one of the following inventions is required under 35 U.S.C.
 121:

- Claims 1-20, drawn to a multiple power engine system with degradation, classified in class 123, subclass 319.
- II. Claim 21, drawn to a multiple power engine system, classified in class 123, subclass 52.1.

The inventions are distinct, each from the other because of the following reasons:

Inventions of Group I and Group II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because degradation is not required in Group II. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

During a telephone conversation with Constanine Marantidis on 6-18-04 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-20.

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2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Cancel claim 21 non-elected without traverse.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bibhu Mohanty whose telephone number is 703 308-3706. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Yuen can be reached on 703 308-1946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bibhu Mohanty Primary Examiner Art Unit 3747

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